

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TAWANNA L. RASH,

CIVIL DIVISION

Plaintiff,

CASE NO.:

v.

Judge

THE PRUDENTIAL INSURANCE COMPANY
OF AMERICA,

COMPLAINT

Defendant.

FILED ON BEHALF OF:
PLAINTIFF:
Tawanna L. Rash

COUNSEL FOR THIS PARTY:

Francis M. Moore, Esquire
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COMPLAINT

Parties

1. Plaintiff, Tawanna L. Rash, is an individual with an address of 721 6th Street, Apt. 108, McKeesport, PA 15132.
2. Defendant, The Prudential Insurance Company of America, is a long term disability insurer, licensed to do business in the Commonwealth of Pennsylvania, with an address of 751 Broad Street, Newark, NJ 07102.

Jurisdiction

3. This action is brought under, and jurisdiction of this matter is vested in this Court through the *Employee Retirement Income Security Act* (ERISA), and specifically 29 U.S.C. 1132(e), 502(e) wherein the district courts of the United States shall have exclusive jurisdiction of civil actions under this title brought by the Secretary or by a participant, beneficiary, fiduciary, or any person referred to in ERISA.
4. Venue is proper because Defendant, The Prudential Insurance Company of America, regularly conducts business in this District.

History of Case

5. This action stems from a policy of long term disability insurance administered by Defendant in which Plaintiff was an insured.
6. Tawanna L. Rash was an employee of the BNY Mellon and was insured under a policy of long term disability insurance with the Defendant.
7. Due to significant medical ailments, Tawanna L. Rash has become fully disabled.

8. The Prudential Insurance Company of America denied long term disability benefits to Plaintiff on or about April 18, 2016.
9. Said denial of long term disability benefits was illegal and unreasonable.
10. All administrative appeals have been exhausted.
11. Significant medical evidence was presented to Defendant outlining the nature and extent of Tawanna L. Rash's disability. Notwithstanding this medical evidence, Defendant continued to illegally deny Plaintiff long term disability benefits.

Prayer for Relief

WHEREFORE, Tawanna L. Rash prays for the following relief:

- a. Judgment in her favor and against the Defendant for the amount of all benefits due and owing under the plan with interest as may be permitted by the Court;
- b. An award by the Court for reasonable attorney's fees and costs as provided under the ERISA law, found at section 1132(g), *et seq*; and
- c. Any other legal or equitable relief as the Court deems appropriate.

/s/Francis M. Moore
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